

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 10-23 are pending in the present application, Claims 22 and 23 having been added. Support for new Claims 22 and 23 is found, for example, in the original claims and the substitute specification at page 3, lines 6-8, and page 6, lines 10-19. Thus, no new matter is added.

In the outstanding Office Action, Claims 10-21 were rejected under 35 U.S.C. §102(b) as anticipated by Giovannoli (U.S. Patent No. 5,842,178).

Applicant thanks the Examiner's supervisor, Mr. Millin, for the courtesy of an interview extended to Applicant's representative on May 18, 2006. During the interview, differences between the present invention and the applied art, and the rejections noted in the outstanding Office Action were discussed. No agreement was reached pending the Examiner's further review when a response is filed. Arguments presented during the interview are reiterated below.

With respect to the rejection of Claim 10 as anticipated by Giovannoli, Applicants respectfully traverse this ground of rejection. Claim 10 recites, *inter alia*, "providing potential buyer information to the selected sellers, the potential buyer information including a number of buyers in the group of the plurality of buyers."

On the contrary, Giovannoli does not disclose or suggest providing sellers with buyer information that includes the number of buyers.

As shown in Fig. 1 of Giovannoli, a vendor may interact with multiple buyers through a network. However, the seller in Giovannoli interacts with each buyer individually.

Furthermore, Giovannoli does not disclose or suggest that each box in Fig. 1 labeled buyer is anything but a single buyer. Even if the Office chooses to construe each box labeled

as a buyer to be a group of buyers, Giovannoli still does not disclose or suggest that the service provider provides sellers with potential buyer information which includes the number of buyers in each group.

Furthermore, even though a seller in Giovannoli may count the number of requests it receives from buyers, Giovannoli does not disclose or suggest that the service provider provides potential buyer information to the seller, which includes a number of buyers in the group of the plurality of buyers.

Furthermore, even if Fig. 1 of Giovannoli is interpreted as showing a group of a plurality of buyers (i.e., the 4 boxes in Fig. 1 labeled as “buyer”) that are all purchasing the same product, Giovannoli still does not disclose or suggest that the service provider provides potential buyer information including the number of buyers to the seller.

In addition, Applicant notes the requirements of MPEP §707.07(f). MPEP §707.07(f) indicates that a proper Action is to take note of the points raised in traversing such a repeated rejection and answer the substance thereof. The outstanding Office Action’s Response to Arguments section does not specifically answer the points raised in the Amendment filed on September 20, 2005. Rather, it merely refers back to the previous grounds of rejection, which merely repeats the claim language and refers Applicant to the Abstract and Figs. 2a, 2b, and 3 of Giovannoli. If the outstanding rejection is maintained, in accordance with MPEP §707.07(f), Applicant respectfully requests that the next Office Action take note of the Applicant’s arguments and answer the substance thereof.

In view of the above-noted distinctions, Applicant respectfully submits that Claim 10 (and Claims 11-15 and 22 dependent thereon) patentably distinguish over Giovannoli.

With respect to the rejection of Claim 16 as anticipated by Giovannoli, Applicants respectfully traverse the rejection. Claim 16 recites, *inter alia*, “means for...providing

potential buyer information to the selected sellers, the potential buyer information including a number of buyers in the group of the plurality of buyers”

Even if the Office continues to interpret Giovannoli as discussed above, Giovannoli still does not disclose or suggest the claimed “means for...providing potential buyer information to the selected sellers, the potential buyer information including a number of buyers in the group of the plurality of buyers”

Thus, Applicant respectfully submits that Claim 16 (and Claims 17-21 and 23 dependent thereon) patentably distinguish over Giovannoli.

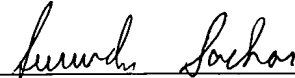
Finally, Applicants respectfully request that the next Office Communication acknowledge that the present application acknowledge the claim to foreign priority. Page 2 of the outstanding Office Action states that the present application is not entitled to foreign priority because it was filed more than 12 months after the foreign priority date. However, the filing date of the Japanese priority application is August 21, 2000. A PCT application was filed on September 25, 2000. The present application is a continuation (i.e., PCT bypass) of the PCT application. Thus, the present application has an effective filing date of September 25, 2000, which is less than 12 months after the filing of the Japanese priority application.

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Reply to Office Action of March 9, 2006

Consequently, in light of the above discussion and in view of the present amendment,  
the present application is believed to be in condition for allowance and an early and favorable  
action to that effect is respectfully requested.

Respectfully submitted,

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